





Attorney Docket No.: 42P13950

41861  
Ref For Recs  
Patent 1-28-08

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Michael J. Monroe et al. ) Examiner: Phan, H.  
Serial No. 09/454,164 ) Art Unit: 2633  
Filed: November 17, 1999 )  
For: CODE BASED OPTICAL NETWORKS, )  
METHODS, AND APPARATUS )

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**RESPONSE UNDER 37 C.F.R. §§ 1.111**

Sir:

In response to the Office Action mailed September 24, 2002, applicant respectfully requests the Examiner to enter the following response and consider the following remarks.

**REMARKS**

The Examiner is thanked for the indication that claims 1-4 and 19-21 are allowed.

Claims 1-10, 14-17, and 19-28 remain pending in the instant application. Claims 5-10, 14-17, and 22-28 presently stand rejected. Reconsideration of claims 5-10, 14-17, and 22-28 is respectfully requested.

*Claim Rejections – 35 U.S.C. §103*

Claims 5-10, 14-17, and 22-28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,314,220 to Mossberg, *et al.* (“Mossberg”) in view of U.S. Patent No. 5,841,776 to Chen (“Chen”). Applicants respectfully traverse the rejection.